IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.3215 OF 2005

Bankim Prabhatchandra Dalal ..Petitioner

Vs.

The Manager and Anr. ..Respondents

Mr.Kapil Dave i/b Mr.Girish Kulkarni
Advocate for Petitioner
Mr.B.R.Chourasia, Chief Manager,
Bank of Baroda, V.P.Road Branch, present
in person
Mrs.M.M.Deshmukh A.P.P. for the State

CORAM: SMT.V.K.TAHILRAMANI,J.

DATE :AUGUST 30, 2006
IN CHAMBER AT 2.30 P.M.

P.C.

1. Heard Mr.Dave, the learned advocate for the petitioner, Mr.B.R.Chourasia, Chief Manager, Bank of Baroda, V.P.Road Branch, who is the complainant and is present in person and Mrs.M.M.Deshmukh, the learned A.P.P. for the State.

2. The Petitioner is seeking quashing of C.R.No. 225 of 2004. The said case is under Section 420 of IPC. The said case is pending before the learned Metropolitan Magistrate, 4th Court, Girgaum, Mumbai. The complainant states the entire amount has been paid by the Petitioner to the complainant and in fact, the complainant bank has also issued a letter dated 2.8.2005 to the effect that the Petitioner has paid all their dues and settled overdrawn amount in full on 22.7.2005. The complainant states that in view of the fact that the dues have been paid, the matter has been amicably settled between the parties and the complainant does not wish to proceed with his complaint.

3. In view of the fact that the parties have settled the disputes, in my view, no purpose would be served by continuing with the proceedings relating to C.R. No.225 of 2004 as te complainant does not wish to pursue the matter any further. Hence, in view of the decision of the Supreme Court in the case of **B.S.Joshi and another Vs. State of Haryana and another reported in Judgment Today**

2003(3) S.C. 277, the proceedings pertaining to C.R.No. 225 of 2004 pending before the learned Metropolitan Magistrate, 4th Court, Girgaum, Mumbai, are quashed and set aside.

4. Writ Petition is disposed of.

[V.K.TAHILRAMANI,J.]

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